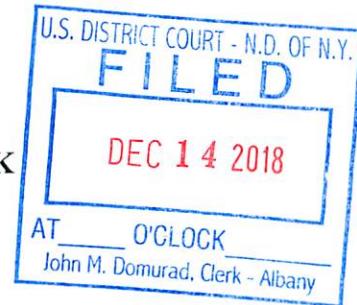


UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

IN RE:

\$50,000 in U.S. Currency

related to  
Case No.: 1:18-mj-434



**1:18-MC-39 (CFH)**

**GOVERNMENT'S APPLICATION TO  
EXTEND THE DEADLINE TO FILE CIVIL FORFEITURE COMPLAINT**

Pursuant to 18 U.S.C. § 983(a)(3)(A), the United States respectfully requests that the Court execute the attached proposed order extending the government's deadlines to file a civil forfeiture case against the above-captioned assets to February 1, 2019. In support of its application, the government states as follows:

**WHEREAS**, Title 18, United States Code, Section 983(a)(3)(A) provides that:

[n]ot later than 90 days after a claim has been filed, the Government shall file a complaint for forfeiture in the manner set forth in the Supplemental Rules for Certain Admiralty and Maritime Claims or return the property pending the filing of a complaint, except that a court in the district in which the complaint will be filed may extend the period for filing a complaint for good cause shown or *upon agreement of the parties*.

18 U.S.C. § 983(a)(3)(A) (emphasis added).

**WHEREAS**, on or about September 28, 2018, the U.S. Customs and Border Protection received an administrative claim from Xiaoqing Zheng electing to have the matter of the seizure and forfeiture of the above-listed asset referred for judicial action.

**WHEREAS**, Xiaoqing Zheng is the only claimant to have filed an administrative claim in connection with this forfeiture.

**WHEREAS**, in accordance with 18 U.S.C. § 983(a)(3)(A), the deadline for the

government to file a judicial forfeiture action in this case, in the absence of an agreement of the parties or for good cause shown, is December 27, 2018.

**WHEREAS**, the undersigned and Zheng's counsel, Kevin Luibrand, have agreed to extend the deadline for the government to file a civil forfeiture action to February 1, 2019. *See* 18 U.S.C. § 983(a)(3)(A); *United States v. Miscellaneous Firearms, Silencers and Ammunition*, 2012 WL 3877797, at \*3 (N.D. Cal. Sept. 6, 2012) (complaint was timely filed because claimant, through counsel, agreed to an extension of time).

**WHEREAS**, the government respectfully requests that the Court execute the attached proposed order extending the time for the United States to file complaint.

Dated: December 11, 2018

GRANT C. JAQUITH  
United States Attorney

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